

**FILED**

UNITED STATES DISTRICT COURT  
SANTA FE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

SEP 30 2008

JIMMY KINSLOW,

Plaintiff,

v.

MATTHEW J. DYKMAN  
CLERK

Civ. No. 07-1164 MV/RLP

NEW MEXICO CORRECTIONS  
DEPARTMENT, *et al.*,

Defendants.

ORDER

THIS MATTER comes before the Court on the Magistrate Judge's Second Report and Recommendation [Doc. 42]. Both Plaintiff and Defendants having filed objections thereto [Doc. 43 & 46], the Court has made a *de novo* review of the record and finds that the objections are not well-taken and that the Magistrate Judge's Second Report and Recommendation shall be adopted by the Court.

IT IS THEREFORE ORDERED that the Magistrate Judge's Second Report and Recommendation shall be adopted by the Court; and

IT IS FURTHER ORDERED that Plaintiff's Motion for Partial Summary Judgment [Doc. 17] is granted in part and denied in part as recommended by the Magistrate Judge's Second Report and Recommendation; and

IT IS FURTHER ORDERED that Defendants shall pay Plaintiff the amount of \$100.00 for violations of 42 U.S.C. § 1983 and the New Mexico Religious Freedom Restoration Act, §§ 28-22-1, *et seq.*

IT IS SO ORDERED.

  
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Martha Vazquez  
Chief United States District Judge